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International Convention on the Elimination of all Forms of Racial Discrimination

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COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION
Fifty-seventh session
31 July - 25 August 2000

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION

Concluding observations of the Committee on the Elimination of Racial Discrimination

Netherland

1. The Committee considered the thirteenth and fourteenth periodic reports of the Netherlands, submitted in one document (CERD/C/362/Add.4) at its 1413th and 1414th meetings (CERD/C/SR.1413 and 1414), on 8 and 9 August 2000, and at its 1424th meeting (CERD/C/SR.1424), on 16 August 2000, adopted the following concluding observations.

A. Introduction

2. The Committee welcomes the very detailed updated report presented by the Government of the Netherlands, containing information on the European part of the Kingdom of the Netherlands, the Netherlands Antilles and Aruba, which follows the Committee's guidelines and contains relevant information about the implementation of the provisions of the Convention. The Committee particularly welcomes the opportunity to be able to continue a constructive and open dialogue with the State party represented by a large delegation and appreciates the detailed answers to questions raised and concerns expressed during the consideration of the report, including valuable written answers from Aruba.

B. Positive aspects

3. The Committee notes that the Netherlands is one of the few countries to refer to minorities without making a distinction between nationals and non-nationals; it welcomes the plan to apply the Framework Convention for the Protection of National Minorities of the Council of Europe without regard to nationality.

4. The Committee notes further progress in the implementation of article 4 of the Convention and welcomes the judicial proceedings that have led to the

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prohibition of a racist political party. It notes also the creation of the National Discrimination Centre within the prosecution service, the appointment of a national police "discrimination officer", the existence of public prosecutors and advocates general specialized in discrimination cases, and the Partnership Training Project between the police, the public prosecution service and civil society.

5. The Committee welcomes with great satisfaction the establishment of the Reporting Centre for Discrimination on the Internet which is aimed at combating racism on Internet sites. The Committee considers this initiative a major step forward in the fight against contemporary forms of racism and looks forward to receiving updated information on the work of the Centre.

6. The Committee welcomes the appointment of a Minister for Urban Policy and Integration of Ethnic Minorities.

7. The Committee is also satisfied that its previous request for information on the Frisian-speaking community has been met and that the State party has given satisfactory information on the situation of this community.

8. For the Netherlands Antilles, the Committee welcomes the efforts undertaken - despite huge difficulties - to address the problems of children with language backgrounds different from those of the majority.

9. For Aruba and the Netherlands Antilles, the Committee welcomes the plans to address immigration problems cooperatively in the region.

10. The Committee acknowledges the efforts by the government in Aruba to promote the national language, Papiamento, in the educational system and cultural life.

C. Concerns and recommendations

11. While the Committee acknowledges the increase in employment among members of minorities, it is concerned that the unemployment rate among minority groups remains four times higher than among the native Dutch population. The Committee therefore hopes to receive information on the results of the "action plan" set up by the Government to reduce that difference by 50 per cent and on the evaluation of the new legal measures (Wet SAMEN).

12. The Committee is concerned about insufficient protection against discrimination in the labour market; it regrets the privatization and the planned dissolution of the Women and Minorities Employment Bureau and wonders what institution is going to fulfil the Bureau's task in the future.

13. While acknowledging the efforts to recruit members of minorities into government service, including the police and armed forces, the Committee is concerned about the disproportionately high number of members of minorities leaving the police forces. It recommends that the State party strengthen its efforts to create a police force reflective of the total population.

14. The Committee expresses concern at de facto school segregation in a number of localities and recommends that the State party undertake further measures to reduce de facto segregation and to promote a multicultural educational system.

15. The State party is invited in its next report to provide further information on the following issues: (a) the revision of the Criminal Code; (b) the living conditions of the Roma minority and the specific measures taken to improve them; (c) the further implementation of the Employment of Minorities (Promotion) Act; (d) the participation of minorities in local

elections; (e) the changes brought by the draft new Aliens Act; and (f) statistical data on complaints, indictments and judicial decisions relating to acts of racism.

16. For the Netherlands Antilles, the Committee is concerned that there have been social tensions and problems in the educational system relating to immigration; it recommends that the problems be addressed on a regional level, so as to avoid racial discrimination.

17. While noting the information from the government of Aruba that domestic servants may change employers though not occupation, it recommends that the government ensure that the status of domestic servants under immigration law is not exploited by employers.

18. The Committee recommends that the State party's reports be made readily available to the public from the time they are submitted and that the Committee's concluding observations on them be similarly publicized.

19. The Committee recommends that the State party's next periodic report, due on 5 January 2001, be an updating report and that it address the points raised in the present

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